

EXHIBIT
AFFIDAVIT OF ALAN F. GRAVES

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AFFIDAVIT OF ALAN F. GRAVES

Relating to U.S. Patent Application 09/580,495 Filed May 30, 2000

I, ALAN F. GRAVES of the City of Kanata, in the Province of Ontario, in the Country of Canada, hereby MAKE OATH AND SAY AS FOLLOWS:

1. I am a named inventor for the patent application 09/580,495 Filed May 30, 2000, entitled OPTICAL SWITCH WITH POWER EQUALIZATION (hereinafter "The Application") and as such have knowledge of the facts contained herein.
2. The invention disclosed and claimed in The Application was conceived and completed in Canada as part of my duties for my employer, Nortel Networks Corporation (hereinafter "my employer"). A submission describing my invention was received by the patent department of my employer on January 10, 2000, and is attached hereto as Exhibit "A".
3. On February 4, 2000, I met with Sanro Zlobec (hereinafter "Mr. Zlobec"), an employee of Smart & Biggar, a patent agency firm retained by my employer to prepare and file a patent application with the U.S. Patent and Trademark Office for my invention.
4. On February 2, 2000, my employer sent to Mr. Zlobec, by mail, material describing my invention. Copies of materials transmitted to Mr. Zlobec on February 2, 2000 are attached hereto as Exhibit "B" to this my affidavit. The materials of Exhibit "B" were the result of research and development that was completed in Canada.
5. On February 11, 2000, I met with Mr. Zlobec in Ottawa to discuss my invention as claimed in The Application.
6. On March 11, 2000, I received by way of overnight courier a letter from Mr. Zlobec dated March 10, 2000, enclosing a first draft patent specification. A copy of this letter and the first draft is attached hereto as Exhibit "C" to this my affidavit.
7. On March 17, 2000, I conferred with Mr. Zlobec regarding the draft specification of Exhibit "C".
8. On May 4, 2000, I received by way of overnight courier a letter from Mr. Zlobec dated May 3, 2000, enclosing a final draft patent specification. A copy of this letter and the final draft is attached hereto as Exhibit "D" to this my affidavit.

9. The Application presently on file with the U.S. Patent and Trademark Office conforms to the final draft specification forwarded to me by way of letter dated May 3, 2000. The Application on file was filed with the U.S. Patent and Trademark Office on May 30, 2000.
10. On September 12, 2000, I signed a Combined Declaration and Power of Attorney, as well as an Assignment of the invention to my employer, and forwarded these to Mr. Zlobec.
11. I hereby declare that all statements made herein are of my own knowledge, are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of the application or any patent issued thereon.

SWORN BEFORE ME at the City of
Ottawa in the Province of
Ontario this 24th day of November
2004.


ALAN F. GRAVES


A Commissioner for Taking Affidavits

Petardina Claire Gordon, a Commissioner, etc.,
City of Ottawa, for Smart & Biggar, Barristers
and Solicitors and Featherstonhaugh & Co.,
Patent and Trade Mark Agents.
Expires July 21, 2007.

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